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In re Application of: Lee, et al.
Application No. 10/677,925
Filed: October 1, 2003
For: SYSTEM AND METHOD FOR MAINTAINING
AN ASSOCIATION BETWEEN A DISTRIBUTION
DEVICE AND A SHARED END USER
CHARACTERISTIC

MAILED

JAN 18 2005

Technology Center 2100

**DECISION ON PETITION
TO MAKE SPECIAL
UNDER M.P.E.P. §708.02 (VI)**

This is a response to the petition filed October 28, 2004, under 37 C.F.R. §1.102(c) and M.P.E.P. §708.02 (VI): Energy, to make the above-identified application special.

The Petition is **DISMISSED**.

M.P.E.P. §708.02, Section VI which sets out the prerequisites for a grantable petition for Advanced Examination under 37 C.F.R. §1.102(c) states in relevant part:

A new application (one which has not received any examination by the examiner) may be granted special status provided that applicant (and this term includes applicant's attorney or agent) complies with one of the following items:


- (a) Submits a petition showing how the invention materially contributes to the discovery or development of energy resources.
- (b) Submits a petition showing how the invention materially contributes to the more efficient utilization and conservation of energy resources, such as inventions relating to the reduction of energy consumption in combustion systems, industrial equipment, household appliances, etc.

The petition filed October 28, 2004 fails to adequately meet either of the requirements above. Neither the statement in the petition nor the claims in the application make it clear how a system that distributes information to a user based on that user's characteristics materially reduces energy consumption or materially contributes to the discovery or development of energy resources. Further details on how the invention meets one of the two criteria above is required.

Petition to Make Special **DISMISSED**.

Petitioner is given one opportunity to perfect the petition. Any request for reconsideration must be filed within TWO MONTHS of the mail date of this decision.

Until the renewed petition is submitted, the application will be returned to the examiner's docket to await treatment on the merits in the normal order of examination.



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